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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN

JASON CANTRELL #397429

Plaintiff,

v

File No. 1:18-cv-1163

HON. GORDON J. QUIST

MICHIGAN DEPARTMENT OF  
CORRECTIONS, ANTHONY HEILIG,  
and SCOTT ARP,

MAG. PHILLIP J. GREEN

Defendants.

/

VIDEO CONFERENCE DEPOSITION OF JASON PAUL CANTRELL

Taken by the Defendant on the 26th day of November, 2019, at  
1500 Caberfae Highway, Manistee, Michigan, at 8:30 a.m.

APPEARANCES:

Co-Counsel

For the Plaintiff:

MR. DANIEL E. MANVILLE (P39731)  
Michigan State University College of Law  
648 North Shaw Lane, Room 215  
East Lansing, Michigan 48823  
(517) 432-6866

For the Defendant:

MR. BRANDON WILLIAM WADDELL (P81494)  
(via video conference)  
Department of Attorney General  
525 West Ottawa Street  
Lansing, Michigan 48933

Also Present:

Erin Bartels

Exhibit 1 - Cantrell's Deposition, partial

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1 Q So we'll just -- we'll just skip, you know, right to August  
2 17th. I think that's really where everything starts; is  
3 that correct?

4 A No, August 19th.

5 Q 19th. I'm sorry. I'm sorry. And the date isn't something  
6 I would hold you to, but I misspoke. It's 19. So what  
7 happened that kind of started everything -- all this -- this  
8 off?

9 A Officer Heilig came to my room and searched my room.

10 Q Did you have any notice that he was coming?

11 A No.

12 Q Did you know why he was there?

13 A No.

14 Q Did they ever tell you afterwards why he was there?

15 A No.

16 Q And who was he with? Was he by himself?

17 A Yes.

18 Q So he comes to your cell, says, "I need to search your  
19 cell." What do you do?

20 A Stepped out.

21 Q And where do you go? Do you just stand right outside the  
22 door?

23 A Nope, I went to the base.

24 Q Does he say anything to you? What exactly does he say to  
25 you?

Exhibit 1 - Cantrell's Deposition, partial

1   **A**     **"Step out," and that's it.**

2   **Q**     **That's it?**

3   **A**     **Yeah.**

4   **Q**     **Okay. Did he -- and so you go to the base, he searches your**  
5           **cell. About how long was he searching for?**

6   **A**     **I don't know exactly how long.**

7   **Q**     **Would you say five minutes? 10 minutes? I mean, that's**  
8           **not -- it's not really that important. I just want to know**  
9           **about how long he's in there.**

10  **A**     **Maybe 10 minutes or so.**

11  **Q**     **And how do you know that you can come back?**

12  **A**     **He come down the hall with a bag and told us to go back to**  
13           **our rooms.**

14  **Q**     **Was it your bag?**

15  **A**     **It was a trash bag full of my stuff.**

16  **Q**     **Did you ever find out was in that -- in the bag?**

17  **A**     **Nope, just -- nope.**

18  **Q**     **Like, did you go back and notice some things were missing**  
19           **and figure that that's what he took?**

20  **A**     **Yes; yes.**

21  **Q**     **And what was missing?**

22  **A**     **A fan, noticeably.**

23  **Q**     **A fan?**

24  **A**     **Yup.**

25  **Q**     **Okay. Anything else that you can remember?**

1   **A**    **No.**

2   **Q**    So when you got back -- can you tell me what you observed  
3           when you got back to your cell?

4   **A**    I came back to my cell and noticed that my family pictures  
5           were in the toilet along with some of my personal clothing,  
6           amongst other clothing scattered on the floor in my cell.  
7           My locker -- wall locker was -- everything was pulled out of  
8           it and placed on the floor. My bed was thrown on -- my  
9           mattress was on the floor. My sheets and everything was off  
10          it.

11   **Q**    And did you -- did you go back and find him and ask him  
12          about -- about this, or how did you react to that?

13   **A**    No. The door shut and that's it. I just observed  
14          everything and was taking it all in.

15   **Q**    Okay. When's the next time you got -- you were able to ask  
16          Heilig about this stuff?

17   **A**    I never asked Heilig.

18   **Q**    Okay. What did you do about trying to resolve this?

19   **A**    I came out at med line time. My door opened and I came out  
20          trying to speak to a sergeant or shift commander in regards  
21          to how my room was left and my pictures and stuff in the  
22          toilet.

23   **Q**    You said at med line. Were you coming out to get meds?

24   **A**    No, my bunkie -- roommate came out at med line.

25   **Q**    Okay.

1    **A**     Our door opened for him to come out for med lines.

2    **Q**     And then -- so you -- it opened for him, you came out to go  
3            speak to a supervisor?

4    **A**     Yes.

5    **Q**     Okay. Did you ever speak -- who did -- do you remember  
6            exactly who you spoke to?

7    **A**     I didn't get a chance to speak with anyone. Officer Heilig  
8            was in the hallway and stopped me from being able to go  
9            speak to a sergeant or shift command. He addressed me to go  
10           back to my cell, I wasn't supposed to be out. I in return  
11           said, "I need to speak to a sergeant or shift command." He  
12           said, "Lock your bitch ass down," his exact words. And then  
13           I went back to my room, stood in my doorway and said, "I  
14           still need to speak to a sergeant," not allowing my door to  
15           shut. And that's it.

16   **Q**     Okay. Do you -- so you kind of ran into him when -- you  
17            know, you just happened to pass him while you were going to  
18           find a sergeant or supervisor? Is that kind of how it  
19           happened?

20   **A**     Correct.

21   **Q**     Or did you go find him?

22   **A**     No, he -- for whatever reason, he was standing in the middle  
23           of our rock, which is unusual.

24   **Q**     Did he -- he didn't usually work in your unit?

25   **A**     No.

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1 Q Okay. You said you went back to your cell, you weren't  
2 going to -- you stood in the door and weren't going to let  
3 the door close. Eventually did you go back into your cell?

4 A Yes.

5 Q And was that when your bunkie came back?

6 A I can't remember if he was already in the room or not, but I  
7 was in the doorway. I don't remember if he was in there. I  
8 don't remember exactly how that happened, that part.

9 Q Was there a time when you were paged to come to -- back to  
10 the base by staff members?

11 A No; no.

12 Q Okay. Did ever -- how about you just tell me, you know,  
13 once you're back in your cell and the door's closed again,  
14 whether or not your bunkie's in there or not, what's the  
15 next interaction that you have with Heilig?

16 A He keyed my door back open and asked me to submit to hand  
17 restraints.

18 Q Did he give you a reason why?

19 A No.

20 Q And what did you do?

21 A I again asked to speak to a sergeant or shift command at --  
22 while I sat on my bunk.

23 Q And did he kind of just leave it there or what?

24 A No. Another CO who I don't know who it was standing next to  
25 him pulled out a Taser and pointed it at me. And then I got

Exhibit 1 - Cantrell's Deposition, partial

1 up and turned around and submitted to hand restraints.

2 Q Did he ever -- did you ever see him calling anyone or trying  
3 to get people to come with him?

4 A I didn't see nothing that I can remember, no. Nothing  
5 stands out to me. I don't know what he did exactly as far  
6 as that.

7 Q Just going back to when -- you said Heilig told you --  
8 you're standing in the door and he told you to go back into  
9 your cell, did they tell you once to go back in your cell?  
10 Did they have to tell you multiple times?

11 A It was more than once, I believe.

12 Q I just -- I just want to know what -- kind of the  
13 interaction. Was it kind of just, "Hey, go back in your  
14 cell," "No, I'm not going." Was it an argument? Was it  
15 going back and forth? You know, how was it?

16 A He kept telling me to go back to my room and I kept  
17 insisting I needed to speak with someone in regard to how my  
18 room was left and the damage that's done on my personal  
19 property. So it was an interaction in regards to that  
20 between me and him, yes. And he kept telling me to go -- to  
21 let my door shut, go in my room. And I was insisting on  
22 seeing the sergeant, so probably three times maybe he  
23 probably told me to shut the door or get out the doorway.

24 Q Okay.

25 A And then that's when I let the door shut.

1       **hand restraints.**

2       Q     And did you tell the person with the Taser that, "Nobody's  
3             scared of that Taser, bro. All that shit you're doing,  
4             nobody's scared of that"?

5       A     **I don't remember.**

6       Q     Okay. Would you be surprised if you had said that? Would  
7             it surprise you?

8       A     **I don't understand that, that question.**

9       Q     I mean, do you think that it's something you just wouldn't  
10            have said?

11      A     **I don't know.**

12      Q     Okay. So now we're, you know -- the Taser is out, you're  
13            out of the cell. Do you remember who put you in restraints?

14      A     **Officer Heilig.**

15      Q     And then what happens?

16      A     **I was being escorted down the hallway.**

17      Q     By who?

18      A     **Officer Heilig and Officer Arp.**

19      Q     Is it one on -- one on each arm? Just kind of normal  
20            escorting?

21      A     **Yes.**

22      Q     And then you get to the stairwell; correct?

23      A     **Yes.**

24      Q     And then -- so you're at the top of the stairwell and in  
25            your words, what happens?



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1   **A**    We're walking down the hall.  Officer Heilig said that --  
2           made a comment to me, said that I asked for -- "bitch ass,"  
3           and then began to start shouting "Stop resisting" at the top  
4           of the -- as we approached the stairwell.

5   **Q**    Okay.

6   **A**    And that's it.

7   **Q**    And you weren't resisting?

8   **A**    No.

9   **Q**    So that's at the top of the stairwell.  Once you get onto  
10          the stairs, what happens?

11  **A**    On the way down the stairs he continued to say "Stop  
12          resisting" and then a few feet on base, once we got to the  
13          bottom of the stairs, I was tripped and taken to the ground.

14  **Q**    And they just kept saying -- do you remember -- so you said  
15          Heilig was saying, "Stop resisting"?

16  **A**    Yup.

17  **Q**    Was Arp saying anything?

18  **A**    I just remember hearing Heilig, CO Heilig, saying, "Stop  
19          resisting."

20  **Q**    Okay.  And then you get down to base, you get down the  
21          stairs, you go down.  How do you go down?

22  **A**    I was tripped.

23  **Q**    By who?

24  **A**    CO Arp.

25  **Q**    Okay.  Is there anything else said that you remember?  And I

Exhibit 1 - Cantrell's Deposition, partial

1       you they believe that you were pulling away at the bottom of  
2       the stairs?

3   **A**    **No.**

4   **Q**    Now, you said you had some -- you made complaints of a lot  
5       of injuries; pelvis, femur, hip, ribs. Can you tell me  
6       about the injuries you -- that were caused by this incident?

7   **A**    **I received some broken ribs and injury to my pelvis and hip**  
8       **area and my foot and then in my neck.**

9   **Q**    Did you have anyone from health care -- did you see anyone  
10       from health care about these issues?

11   **A**    **Yes.**

12   **Q**    When did you see them?

13   **A**    **Just a couple days after the incident. I can't remember**  
14       **specifically what day.**

15   **Q**    And they diagnosed -- you had several broken ribs, was it?

16   **A**    **I believe two.**

17   **Q**    Okay. And then what was -- what was the issue with your  
18       pelvis?

19   **A**    **I don't know exactly what the exact issue was, but I know it**  
20       **caused a lot of discomfort and pain. I was having issues**  
21       **with getting up, transitional movement from --**

22   **Q**    Did you have any issues with this before? Sorry for  
23       interrupting you.

24   **A**    **Yes, I was in an automobile accident on my initial case, why**  
25       **I'm in prison right now. I had reconstructive surgery in my**

1 ask it. I just object. So go ahead and re-ask the  
2 question.

3 Q Did you tell the nurse from health care that you had any  
4 physical issues?

5 A Not at that time.

6 Q And why is that?

7 A I was unable to -- I was unable to speak due to the  
8 situation that just happened. I was out of breath. My  
9 throat was sore from being grabbed. I wasn't able to speak  
10 to anyone at that moment. I was laying on the shower floor.

11 Q So you -- you physically couldn't speak?

12 A Yes.

13 Q About how long after the -- you hit the ground and you were  
14 escorted did that nurse come by?

15 A I don't know exactly how long.

16 Q Do you think it was maybe an hour? More? Less?

17 A I honestly don't know.

18 Q Did you ever tell anyone from health care that you were  
19 unable to speak?

20 A I don't -- I don't remember.

21 Q And then you -- so that nurse comes by that day? I'm  
22 assuming it's that same day the first nurse comes by and you  
23 don't speak to them; correct?

24 A Correct.

25 Q When's the -- do you remember how many days afterwards you

1 MR. WADDELL: I have no further questions.

2 MR. MANVILLE: Yes, we have some questions.

3 EXAMINATION

4 BY MR. MANVILLE:

5 Q As to not speaking to the nurse when you were in Seg in that  
6 cell in the shower, why didn't you speak -- why were you not  
7 able to speak to the nurse?

8 A Because when I --

9 (Off the record interruption)

10 (Off the record)

11 Q So could you explain why you were not able to talk when the  
12 nurse came by the shower?

13 A They're in the -- when I was taken to the ground and getting  
14 beat on exhausted me and put me in a -- it wore me down.

15 And then when I was being escorted to segregation, CO Heilig  
16 and Arp stopped me in front of the unit and Heilig reached  
17 over and grabbed my throat to keep me from being able to  
18 breathe and whispered into my ear, "Do I (sic) have anything  
19 else to say now, bitch?" And repeatedly did -- grabbed my  
20 throat for, like, 20 second periods probably three times and  
21 then walked me over to segregation. So I was unable, like,  
22 to catch my breath and my throat was hurting along with  
23 my -- the rest of my body. But that's why I couldn't speak.

24 Q You mentioned two officers escorted you from the housing  
25 unit over to Seg. There's only two officers at that time

1   **A**     **No.**

2   **Q**     And when you're going down the stairs, you don't know  
3           whether a sergeant is there?

4   **A**     **I don't. I couldn't see or tell, no.**

5   **Q**     You can't see behind you, can you?

6   **A**     **No.**

7   **Q**     And when you got at the bottom and you're tripped and put on  
8           the ground, did more than two officers jump on you?

9   **A**     **Yes.**

10  **Q**     And did you see a sergeant then?

11  **A**     **No.**

12  **Q**     You weren't able to see much then because your head was  
13          forced on the ground; true?

14  **A**     **Yes.**

15  **Q**     All right. And besides being hit in the side of -- you  
16          know, in the rib area, were you hit any other area at that  
17          time period?

18  **A**     **Yes.**

19  **Q**     Where?

20  **A**     **My neck, my back, my legs and arms.**

21  **Q**     Do you know who was doing the hitting?

22  **A**     **I know specifically Heilig but I can't specifically say who  
23          else was the ones hitting me.**

24  **Q**     Why can you say Heilig?

25  **A**     **Because he was the one on my side that grabbed my arm and he**

1       **kept yelling at me, "Stop resisting bitch," as he hit me.**

2    Q     Right. And which side was he on?

3    A     **My left side.**

4    Q     And that's where your ribs were broken?

5    A     **Yes.**

6    Q     When you're -- when you agreed to be handcuffed, do you  
7       remember whether your roommate was in your room or not?

8    A     **I don't remember for sure. I believe he was. I'm pretty**  
9       **sure he was in the room when I eventually did submit to hand**  
10      **restraints, yes.**

11   Q     And you had testified about locker items were not in the  
12       cell anymore. Were they actually placed on the -- on the  
13       floor like I'm placing this tablet on the table or were they  
14       thrown on the floor?

15   A     **They were thrown and scattered amongst my entire cell floor.**

16   Q     And you were asked whether you had said, you know, "Come and  
17       get me. I'll beat all your asses." If you had said that,  
18       you knew that the officers would then be justified in using  
19       the Taser or force against you; right?

20   A     **Yes.**

21   Q     Okay. And would you have done something like that?

22   A     **No.**

23   Q     That's kind of foolish, isn't it?

24   A     **Yes.**

25   Q     Because there's just you and a Taser; right?

1   **A**     **Yes.**

2   **Q**     And your son's picture was in there?

3   **A**     **Yes.**

4   **Q**     And basically was any of your roommate's pictures in the  
5           toilet?

6   **A**     **No.**

7   **Q**     Was any of his stuff taken out of the locker and thrown on  
8           the floor?

9   **A**     **No.**

10  **Q**     Had you had any problem with this -- with Heilig prior to  
11           this incident?

12  **A**     **Yes.**

13  **Q**     And what was that?

14  **A**     **I had to use the bathroom during law library a few months  
15           prior.**

16  **Q**     Right.

17  **A**     **And he had -- he didn't -- he said I couldn't use the  
18           bathroom, wasn't allowed. I used the bathroom and received  
19           a misconduct for using it.**

20  **Q**     Did you yell at him?

21  **A**     **No.**

22  **Q**     Did you swear at him?

23  **A**     **No.**

24  **Q**     Did you get a misconduct for insolence?

25  **A**     **No.**

1 Q In segregation?

2 A Yes.

3 Q And you would be placed -- you would remain there for the  
4 long term?

5 A Yes.

6 Q And you could actually also be charged with a criminal  
7 charge of Assault on an Officer; right?

8 A Yes.

9 Q So when you were charged, you had fear of all those  
10 repercussions possibly happening?

11 A Yes.

12 Q And when is your out date?

13 A September 2021.

14 Q And when you were being treated by the nurse -- or medical,  
15 I should say, because I don't know who -- were you on some  
16 type of pain medication at that time period?

17 A I believe -- I do believe it was naproxen for my arthritis.  
18 But I'm -- I'm pretty sure it was, but I'm not 100 percent  
19 for sure.

20 Q And did one of the officers while walking you to segregation  
21 state something about that there's a blind spot while  
22 traveling to segregation?

23 A Yes.

24 Q Okay. And did they threaten to do anything then?

25 A Yes.